IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICTION NO. 214 OF 1998

Shri Ganesh Putu Deulkar & Ors. ... Petitioners

Versus

Shri Pundalik Rama Gad & Anr. ... Respondents.

Mr. M. S. Usgaokar, Senior Advocate with Mr.Sudin Usgaokar, advocate for the petitioners.

Mr. S. D. Lotlikar, Senior Advocate with Ms. Shreya Naik, advocate for the respondents.

CORAM : A. P. LAVANDE ,J.

DATE : 21st April, 2005.

P.C.

In view of the decision of this Court in the case of ***Rajabhau s/o Mahadeorao Rahate vs. Dinkar s/o Shantaram Ingole,*** reported in 2002(3) Mh.L.J. 921, this revision is not maintainable. Mr. Usgaokar learned Senior Counsel prays that the petitioners may be permitted to convert the Civil Revision Application into a Writ Petition since a revision against the impugned Order allowing the amendment is not maintainable. He further states that in the event this Court is not inclined to grant the relief, liberty be granted to the petitioners to file an application against the impugned Order. Liberty is granted to the petitioners to file Writ Petition against the impugned

Order allowing the amendment since this Court has held that a revision application against an Order allowing amendment is not maintainable after the 2002 Amendment to the Civil Procedure Code. The prayer of the petitioners to convert Revision Application into Writ Petition is rejected. The revision application stands disposed of in the aforesaid terms.

A. P. LAVANDE, J.

mc.